

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In re:

VALERIA V. GUNKOVA,

Debtor.

* **Case No. 23-11261-BFK**

* Chapter 7

STIPULATION AND CONSENT ORDER
AVOIDING UNAUTHORIZED POST-PETITION TRANSFER

For purposes of this Stipulation and Consent Order, the following facts are stipulated by the chapter 7 trustee, Donald F. King (“**Trustee**”), the debtor, Valeria V. Gunkova (“**Debtor**”), and the Debtor’s mother, Natalia Gorbunova (“**Ms. Gorbunova**”):

(i) As of the date of commencement of this case (“**Commencement Date**”), the Debtor was the owner of real property located at 20701 Riptide Square, Sterling, VA 20165, more particularly described as follows (“**Property**”):

Lot 452, Section 8B, CASCADES, as the same appears duly dedicated, platted and recorded in Deed Book 1111 at Page 864, among the land records of Loudoun County, Virginia.

(ii) The Debtor acquired the Property by Deed of Confirmation dated February 1, 2021, and recorded on February 19, 2021, as Instrument No. 20210219-0020348, among the land records of Loudoun County, Virginia, and Deed of Confirmation dated February 9, 2021, and recorded on March 25, 2021, as Instrument No. 20210325-0036009, among the land records of Loudoun County, Virginia.

(iii) The Property is property that the Trustee may administer for the benefit of the bankruptcy estate (“**Bankruptcy Estate**”).

(iv) After the Commencement Date, while this case was pending in Chapter 11, the Debtor transferred the Property (the “**Transfer**”) to herself and her mother,

Ms. Gorbunova, as joint tenants with right of survivorship, by Deed of Gift dated April 15, 2024, and recorded on April 15, 2024, as Instrument No. 20240415-0014540, among the land records of Loudoun County, Virginia.

- (v) The Transfer was made without consideration.
- (vi) The Transfer was not authorized by this Court or by any provision of Title 11, United States Code.
- (vii) The Transfer is avoidable by the Trustee pursuant to 11 U.S.C. §549.
- (viii) The Debtor and Ms. Gorbunova are entering into this Stipulation and Consent Order to avoid further litigation regarding the Transfer and to allow the Trustee to administer the Property for the benefit of the Bankruptcy Estate.

It appears to the Court that the Debtor, Ms. Gorbunova, and the Trustee have consented to the entry of this Stipulation and Consent Order, as evidenced by the endorsements below. It further appears to the Court that the Trustee's Agreed Motion for Entry of Stipulation and Consent Order Avoiding Unauthorized Post-Petition Transfer (the "**Agreed Motion**") [Docket No. 291], has been properly noticed to all parties in interest, there have been no objections to entry of this Stipulation and Consent Order, and the Court finds that cause exists to enter this Stipulation and Consent Order.

It is therefore

ORDERED that the Trustee's Agreed Motion is granted, and the stipulations and consents contained in this Stipulation and Consent Order are approved. It is further

ORDERED that the Transfer is avoided and the Property is preserved for the benefit of the Bankruptcy Estate, subject to any valid encumbrances against the Property that existed as of the Commencement Date. It is further

ORDERED that the Trustee is authorized, in his discretion, to cause a copy of this Stipulation and Consent Order to be recorded among the land records of Loudoun County, Virginia.

Date: Dec 12 2024
Alexandria, Virginia

/s/ Brian F Kenney
BRIAN F. KENNEY
Judge, United States Bankruptcy Court

Entered on docket: Dec 13 2024

Seen and Agreed:

/s/Donald F. King
Donald F. King (VSB No. 23125)
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/s/ Valeria V. Gunkova
Valeria V. Gunkova

/s/ Natalia Gorbunova
Natalia Gorbunova

LBR 9022-1 CERTIFICATION

The undersigned certifies that this Order has been endorsed by all necessary parties.

/s/Donald F. King
Donald F. King

Copies to:

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Nancy D. Greene (electronic)

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